IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 11TH MAY 2007 / 21ST VAISAKHA 1929

WP(C).No. 15001 of 2007(J)

PETITIONER:

JOSE VARGHESE,
KANJOOPARAMBIL, PONEVAZHI ROAD,
EDAPPALLY, KOCHI-24.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)
SMT.A.A.GEETHA

RESPONDENTS:
---
1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
COMMERCIAL TAXES, SECRETARIAT,THIRUVANANTHAPURAM.

2. THE APPELLATE ASSISTANT COMMISSIONER,
ERNAKULAM.

3. COMMERCIAL TAX OFFICER,
VAT CIRCLE II, KALAMASSERY AT PALARIVATTOM.

4. THE DEPUTY TAHSILDAR (RR),
KANAYANNOOR TALUK, ERNAKULAM.

5. THE VILLAGE OFFICER,
EDAPPALLY (NORTH), ERNAKULAM DISTRICT.

BY Spl Govt. Pleader (Taxes) Sri. Govindan.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Antony Dominic, J.

==========

W.P.(C)No.15001 of 2007

==========

Dated this the 11th day of May, 2007.

JUDGMENT

Aggrieved by Ext.P1 order of assessment, petitioner has filed Ext.P2 appeal before the second respondent along with Ext.P4 application seeking stay of recovery of the tax assessed under Ext.P1. It is stated that during the pendency of the appeal and the stay petition, revenue recovery proceedings evidenced by Exts. P5 and P6 have been initiated. In the aforesaid circumstances, this Writ Petition is filed.

2. Taking into account the pendency of the appeal and the stay petition before the Appellate Authority, I dispose of the Writ Petition directing the second respondent – Appellate Authority to consider and pass orders on Ext.P4 stay petition within six weeks from the date of receipt of a copy of this judgment. In the meanwhile, all further proceedings pursuant to Exts.P5 and P6 shall be kept in abeyance.

3. The petitioner is directed to produce a copy of this judgment before the second respondent for compliance.

Antony Dominic
Judge.

ess 11/5